

protection or Wager of Law to be allowed — And be it further  
 enacted by the authority aforesaid by & with the advice & Consent  
 aforesaid that the Comrs of each County Court within this Province  
 by Vertue of this Act shall have power from time to time & at all  
 times hereafter upon presentmt of the Orphan Jury or other Information  
 given to them of such Sale, Waste or destruction made done or Comitted  
 upon any Orphans real Estate by any such Guardian to give their  
 warrant & Cause such Guardian to appear before them in the County  
 Court & if upon Examination thereof the said Information be sufficiently  
 proved that the said Guardian shall answer the Damage of such waste  
 by him Comitted Contrary to this Law to such Orphan when at  
 Age & the sd Comrs shall require such Guardian or Guardians to give  
 sufficient security to make satisfaction to the said Orphan or Orphans  
 when at Age as aforesaid & upon refusall thereof the sd Orphan or Orphans  
 (if at Age to Choose his or their Guardian) shall Elect his or their  
 Guardian or Guardians & if not at Age to make such Election: such  
 other person or persons shall be appointed as the Comrs of the County  
 Court where the said Land lies shall think meet w<sup>th</sup> said Guardian  
 or Guardians or other person or persons so Chosen or appointed  
 as aforesaid being willing to take the sd Orphans real Estates into  
 their possession shall hold & enjoy the sd Lands & plantations Comitting  
 no waste & performing all such Matters & Things as his & their  
 Entry thereupon as by this Act is required untill the sd Orphan or  
 Orphans Come to Age & the sd person or persons so Chosen Guardian  
 or Guardians as aforesaid or by the Justice of the County Court so appointed  
 & put in possession of the Orphan Land as aforesaid shall by vertue of this  
 Act in the Name & to the use of such Orphan bring his action of  
 Waste against the former Guardian for the Damages by him Comitted  
 And the Comrs of the severall County Courts within this Province  
 are hereby Injoyned & required to give in Charge every June  
 Court to the Orphan Jury to Enquire if any waste hath been  
 made of Orphans Lands under the penalty of sixteen hundred  
 pounds of Tobacco one halfe thereof to his Majesty his heirs and  
 Successors for the support of Govern<sup>ment</sup>: the other halfe to him  
 or them that shall sue for the same to be recoverd in the  
 Provinciaall Court by Bill plaint or Information where in  
 no Essoyn protection or Wager of Law to be allowed — And be  
 it further enacted by the authority aforesaid by & with the  
 advice and Consent aforesaid that the severall and respective Deputy  
 Comissarys wch are & shall be in the severall & respective Counties  
 within this Province shall and are hereby sufficiently authorized  
 & empowered to pass Audit & allow all such accounts as shall come  
 before them relating to dead mens Estates where in they have